

# Harvis & Fett

GABRIEL P. HARVIS  
BAREE N. FETT

November 12, 2015

BY ECF

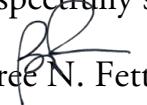
Honorable Vera M. Scanlon  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Silva, et al. v. Guzman, et al.*  
14 CV 5252 (VMS)

Your Honor:

I represent plaintiffs in the above-referenced action. I write to respectfully: 1) advise the Court that the parties have reached a settlement agreement in principle; and 2) to request that the caption in this matter be amended to reflect the names of plaintiffs Jannet Espinosa, currently identified in the caption as J.E., and Daniel Gutierrez, currently identified as D.E. Plaintiffs have each reached the age of majority since the filing of this matter. Defendants consent to plaintiffs' application to amend the caption. Enclosed please find for Your Honor's review and consideration, a proposed Stipulation to Amend the Caption executed by the parties.

Thank you for your attention to this matter.

Respectfully submitted,  
  
Baree N. Fett

cc: Erica Haber, Esq.  
Encl.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CRISTOBALINA SILVA, as mother and natural guardian  
of infant J.E.; and MARGARITA BUSTAMANTE, as  
mother and natural guardian of INFANT D.G.,

**STIPULATION TO  
AMEND CAPTION**

Plaintiffs,

14 CV 5252 (VMS)

-against-

Police Officer GERARD GUZMAN, Shield No.  
10625; Sergeant MICHAEL GIACONIA, Shield  
No. 2991; and JOHN and JANE DOE 1 through  
10, individually and in their official capacities (the  
names John and Jane Doe being fictitious, as the  
true names are presently unknown),

Defendants.

-----X

**IT IS HEREBY STIPULATED AND AGREED**, by and between the  
undersigned, attorneys for the parties appearing in the above-captioned action, that the infant  
plaintiffs having reached the age of majority, CRISTOBALINA SILVA be removed as the  
“mother and natural guardian of infant J.E.” and that MARGARITA BUSTAMANTE be  
removed as “mother and natural guardian of infant D.G.” and as such, that the caption be  
amended to read as follows:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

JANNET ESPINOSA and DANIEL GUTIERREZ,

Plaintiffs,  
-against-

14 CV 5252 (VMS)

Police Officer GERARD GUZMAN, Shield No.  
10625; Sergeant MICHAEL GIACONIA, Shield  
No. 2991; and JOHN and JANE DOE 1 through  
10, individually and in their official capacities (the  
names John and Jane Doe being fictitious, as the  
true names are presently unknown),

Defendants.

-----X

The Clerk of the Court is directed to take all necessary steps to make the above  
correction to the caption.

Dated: New York, New York  
November 12, 2015

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By:   
\_\_\_\_\_  
Baree N. Fett, Esq.

By: \_\_\_\_/s/\_\_\_\_\_  
Erica M. Haber  
Senior Counsel  
Special Federal Litigation Division

SO ORDERED:

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HON. VERA M. SCANLON  
UNITED STATES MAGISTRATE JUDGE